

United States District Court
for the
Southern District of New York
Related Case Statement

Full Caption of Later Filed Case:

Ilyasah Shabazz, as Administratrix of the
Estate of Malik el-Shabazz, also known as
Malcolm X, et al.

Plaintiff	Case Number
vs.	1:24-cv-8680
United States of America, et al.	
Defendant	

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

Greene Johnson, et al.,

Plaintiff	Case Number
vs.	24 Civ. 872 (DEH)
United States of America	
Defendant	

Status of Earlier Filed Case:

☐

Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)

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Open

(If so, set forth procedural status and summarize any court rulings.)

On October 22, 2024, the parties appeared before Judge Dale E. Ho for oral arguments on Defendants' motion to dismiss. On July 10, 2024, Judge Ho denied the Defendants' request for a stay of discovery pending their motion to dismiss. The parties are currently engaging in discovery and are scheduled for a post-discovery case management conference on March 18, 2025.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

Both cases arise from the same facts: they concern the circumstances of the assassination of Malcolm X and the role of the government in fraudulently concealing the true nature of his assassination. In Greene, Plaintiffs brought suit against United States government employees affiliated with the Federal Bureau of Investigation ("FBI") for their role in concealing evidence about Malcolm X's assassination, leading to the wrongful prosecution of an innocent man. In this case, Plaintiffs bring suit against the United States government and the NYPD for their role in encouraging Malcolm X's assassination and, afterwards, fraudulently concealing evidence about the true nature of the assassination, denying Plaintiffs access to the courts. Indeed, it is only through the re-investigation and exoneration of the Plaintiff in Greene that Plaintiffs in this case may bring their claims.

Additionally, discovery in Greene is ongoing. Given the significant factual overlap in both cases, discovery in Greene relates to the same information that Plaintiffs in this case will seek, including documents relating to the circumstances of Malcolm X's assassination and documents relating to the subsequent investigation and cover-up of the assassination. Judge Dale E. Ho, who has been presiding over Greene, is familiar with the facts of the Greene case, and thus will be familiar with the facts of this case.

Signature: _____

Date: 11/15/2024

Beldock Levine Hoffman LLP

Firm: _____